

U.S. Marshals Service

Cooperative Agreement Program: Mutually Solving the Confinement Problem

The federal criminal justice system depends on local and state detention services for confining federal prisoners. The U.S. Marshals Service's cooperative agreement program (CAP) provides support for improving substandard facilities to house federal prisoners. CAP contracts with state and local governments in funding facility renovation, upgrading, expansion, and/or construction to meet nationally-accepted conditions of confinement. In return, the state or local government guarantees bed space to the Marshals Service for a pre-determined period of time.

The Marshals Service is responsible for determining federal requirements for local detention services. Program funding and staff resources are limited and, accordingly, construction and expansion projects are restricted to areas where the Marshals Service is encountering difficulties in obtaining adequate detention space for federal prisoners.

There are approximately 4,000 non-federal detention facilities in the United States, but the CAP program is designed to assist only those that are essential to support the federal courts. CAP provides for the

upgrading of institutional programs, services, and conditions of confinement in order for a facility to comply with established national detention standards, as well as expanding detention space.

The CAP program is not a grant program. Participants are selected by the U.S. Marshals Service based on the following criteria:

- The facility is essential to the continued support of the federal courts.
- The jail is used significantly by the U.S. Marshals Service facility or will be after assistance.
- The jail is not in full compliance with nationally-recognized detention standards.
- A plan of action to correct sub-standard conditions has been developed, and jail inspection reports by the Marshals Service substantiate that the proposed project will address the deficiencies identified.
- The jail is under federal contract (Intergovernmental Agreement) or is willing to enter into a formal

agreement to house federal prisoners.

- The jail is willing to guarantee bedspace for a specified period of time, normally fifteen to twenty years.
- Where applicable, the state or local government is willing to undertake a portion of the funding necessary to complete the required facility improvements.

Since implementation of the CAP program in 1982, the U.S. Marshals Service has entered into 108 CAP agreements, acquiring over 4,100 guaranteed detention spaces for federal prisoners in seventy-nine federal court cities. Total cost of these projects was \$69.1 million. The program has been well-received by state and local governments as a true example of close cooperation between federal, state, and local governments for mutual benefit.

Jail officials who are interested in participating in the CAP program or who would like to obtain more information should contact the local office of the U.S. Marshals Service. ■